PTO/SB/29 (12/97)

| -<br> -  | 7C86                 | Under the Paperwork Reduction Act of 1995, no persons are requ  | uired to respon  | Approved for use through 09/30/00. OMB 0651-0032 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE and to a collection of information unless it displays a valid OMB control number.  |  |  |  |  |
|--|----------------------|---|--|--|--|--|--|--|
| 3  |                      | UTILITY   |  | mey Docket No. 7853-220 Total Pages  |  |  |  |  |
| ≥▮   |                      | PATENT APPLICATION  |  | First Named Inventor or Application Identifie  |  |  |  |  |
| <b>&gt;</b>  | P T                  | TDANIONITTAL  |  | Moore et al.   |  |  |  |  |
|  | <del>(O</del> nly fo | r new nonprovisional applications under 37 CFR 1.53(b))   | Expre  | ss Mail Label No.   EL 501 636 208 US   ==================================   |  |  |  |  |
|  | See MP               | APPLICATION ELEMENTS EP chapter 600 concerning utility patent application co  | Assistant Commissioner ADDRESS TO: Box Patent Application Washington, DC 20231     |  |  |  |  |  |
| 1.   |                      | ransmittal Form<br>it an original, and a duplicate for fee processing)  | 6. □ Microfiche Computer Program (Appendix)  |  |  |  |  |  |
| 2.   | ⊠ Speci              |   | 7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) |  |  |  |  |  |
|  | -Desc                | riptive title of the Invention  |  | a.   Computer Readable Copy  |  |  |  |  |
|  |                      | s Reference to Related Applications   |  | a. – comparer reasons copy   |  |  |  |  |
|  |                      | ement Regarding Fed sponsored R&D   |  | b. ⊠ Paper Copy (identical to computer copy)   |  |  |  |  |
|  |                      | rence to Microfiche Appendix  |  | c.   Statement verifying identity of above copies  |  |  |  |  |
|  |                      | ground of the Invention Summary of the Invention  |  | - Charles to the state of the s |  |  |  |  |
|  |                      | Description of the Drawings (if filed)  |  | ACCOMPANYING APPLICATION PARTS   |  |  |  |  |
|  | -Deta                | iled Description of the Invention (including drawings, if filed   | )  | 8.   Assignment Papers (cover sheet & document(s))   |  |  |  |  |
| ~į   |                      | -Claim(s) -Abstract of the Disclosure   |  | 9. □ 37 CFR 3.73(b) Statement □ Power of Attorney (when there is an assignee)  |  |  |  |  |
| 3.   | ⊠ Drawi              | ng(s) (35 USC 113) [Total She   | ets <u>6</u> ]   | 10.   English Translation Document (if applicable)   |  |  |  |  |
| 4  | ⊠ Oath               | or Declaration (unexecuted) [Total She  | ets <u>2</u> ]   | 11. ⊠ Information Disclosure □ Copies of IDS Statement (IDS)/PTO-1449 Citations  |  |  |  |  |
| IJ   |                      | ewly executed (original or copy)  |  | 12.   Preliminary Amendment  |  |  |  |  |
|  |                      | opy from a prior application (37 CFR 1.63(d)) or continuation/divisional with Box 17 completed) [Note Box 5 below]  |  | 13.   Return Receipt Postcard (MPEP 503)  (Should be specifically itemized)  |  |  |  |  |
| -1   | i. 🛚                 | DELETION OF INVENTORS(S)  |  | 14.  Small Entity  Statement filed in prior application, Statement(s) Status still proper and desired  |  |  |  |  |
| T.   |                      | Signed statement attached deleting inventor(s) named in application, see 37 CFR 1.63(d)(2) and 1.33 (b).  | 15. □ Certified Copy of Priority Document(s) (if foreign priority is claimed)      |  |  |  |  |  |
| i. DELETION OF INVENTORS(S)  Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).  Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. |                      |   |  |  |  |  |  |  |
| 17.  |                      | NTINUING APPLICATION, check appropriate box and suppropriate box and su |  |  |  |  |  |  |
|  | L Conta              | -   |  |  |  |  |  |  |
| 18. CORRESPONDENCE ADDRESS   |                      |   |  |  |  |  |  |  |
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Express Mail No.: EL 501 636 208 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFI

Prior application:

Examiner Murphy, J.

Art Unit 1644

**Assistant Commissioner for Patents Box PATENT APPLICATION** Washington, D.C. 20231

Sir:

This is a request for filing a □ continuation ☑ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/062,753 filed on April 17, 1998.

of Karen Moore; Deborah Lynn Nagle; and Elizabeth A. Woolf (inventor(s) currently of record in prior application)

1. The filing fee is calculated below:

## PATENT APPLICATION FEE VALUE

| ТҮРЕ   | NO. FILED | LESS | EXTRA EXTRA RATI                 |              | FEE         |
|--|-----------|------|----------------------------------|--------------|-------------|
| Total Claims   | 73        | -20  | 53                               | \$18.00 each | \$ 954.00   |
| Independent  | 11        | -3   | 8                                | \$80.00 each | \$ 640.00   |
|  |           |      | Basic Fee                        |              | \$ 710.00   |
|  |           |      | Multiple Depe<br>If Applicable ( | \$ 0.00      |             |
| Total  |           |      | Total                            |              | \$ 2,304.00 |
| 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern |           |      |                                  |              | - \$ 0.00   |
|  |           |      | Total Filing F                   | 'ee          | \$ 2,304.00 |

2. Please enter and consider the amendments to the claims made in the  $\boxtimes$ accompanying Preliminary Amendment before calculating the filing fee. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Amond the specification as follows: On Page 1, line 5, after "This 3. Ø application is a", insert - divisional application of Serial No. 09/062,753, filed April 17, 1998, which is a --. On page 1, line 6, after "April 17, 1997," insert -- each of --.

NY2 - 1146536.1



| 4a. |   | Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. |
|-----|---|--|
| 41- | _ | N7 C 11 ' 1 1  |

- 4b. □ New formal drawings are enclosed.
- 4c. 

  ☐ Informal drawings are enclosed.

November 28, 2000

Date

- 5a. Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. 

  The certified copy has been filed in prior application no., filed.
- 6.  $\Box$  The prior application is assigned of record to .
- 7. Unexecuted Declaration and Power of Attorney is enclosed herewith.
- 8. 

  This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application Serial No. 09/062,753, filed on April 17, 1998 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application Serial No. 09/062,753 is enclosed.
- 9. 

   The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application Serial No. 09/062,753 is the same as the content of the computer readable form submitted in application Serial No. 09/062,753.
- 10. 

  Additional enclosures or instructions. A copy of the following documents are enclosed: (a) an Information Disclosure Statement; (b) a revised PTO-1449 form; (c) a Preliminary Amendment; and (d) an Exhibit A (pending claims).

Respectfully submitted,

vanie (

Laura A. Coruzzi

Jennefer Chledan Rog Do. 46, 617

Reg. No.)

PENNIE & EDMONDS LLP 1155 Avenue of the Americas New York, N.Y. 10036-2711

(212) 790-9090

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